

<p style="text-align: center;">Page 1</p> <p style="text-align: center;">UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA FORT WAYNE DIVISION</p> <p>RYAN KLAASSEN, JAIME CARINI,) D.J.B., by and through his) next friend and father,) DANIEL G. BAUMGARTNER,) ASHLEE MORRIS, SETH CROWDER,) MACEY POLICKA, MARGARET ROTH,) and NATALIE SPERAZZA,) Plaintiffs,) CASE NO.) -vs-) 1:21-cv-00238 THE TRUSTEES OF INDIANA) UNIVERSITY,) Defendant.)</p> <p style="text-align: center;">DEPOSITION OF MARGARET ROTH July 1, 2021</p> <p>Remote oral deposition of MARGARET ROTH, commencing at 4:33 p.m., on the above date, before CORINNE T. MARUT, C.S.R. No. 84-1968, Registered Professional Reporter, Certified Realtime Reporter and Notary Public.</p> <p style="text-align: center;">GOLKOW LITIGATION SERVICES 877.370.3377 ph / 917.591.5672 fax deps@golkow.com</p>	<p style="text-align: center;">Page 2</p> <p>1 APPEARANCES All Parties Appearing Via Zoom Videoconference</p> <p>2</p> <p>3 ON BEHALF OF THE PLAINTIFFS: 4 THE BOPP LAW FIRM 1 South 6th Street 5 Terre Haute, Indiana 47807 812-232-2434 6 BY: MELENA S. SIEBERT, ESQ. msiebert@bopplaw.com</p> <p>7</p> <p>8</p> <p>9</p> <p>10 ON BEHALF OF THE DEFENDANT: 11 FAEGRE DRINKER BIDDLE & REATH LLP 300 North Meridian Street, Suite 2500 12 Indianapolis, Indiana 46204 317-237-0300 13 BY: ANNE K. RICCHIUTO, ESQ. anne.ricchiuto@faegredrinker.com</p> <p>14</p> <p>15</p> <p>16 ALSO PRESENT: 17 MICHELE ROTH</p> <p>18</p> <p>19</p> <p>20 REPORTED BY: CORINNE T. MARUT, C.S.R. No. 84-1968</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: center;">Page 3</p> <p>1 INDEX 2 MARGARET ROTH EXAMINATION 3 BY MS. RICCHIUTO..... 4 BY MS. SIEBERT..... 47 4 BY MS. RICCHIUTO..... 52 BY MS. SIEBERT..... 55</p> <p>5</p> <p>6</p> <p>7</p> <p>8 EXHIBITS 9 ROTH DEPOSITION EXHIBIT MARKED FOR ID 10 No. 1 Signed Verification 18 11 No. 2 Verified Complaint for 19 Declaratory and Injunctive 12 Relief</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: center;">Page 4</p> <p>1 THE REPORTER: All parties to this deposition 2 are appearing remotely and have agreed to the 3 witness being sworn in remotely.</p> <p>4 Due to the nature of remote reporting, 5 please pause briefly before speaking to ensure all 6 parties are heard completely.</p> <p>7 Counsel will be noted on the 8 stenographic record.</p> <p>9 Counsel, do you so stipulate to the 10 remote swearing in of the witness?</p> <p>11 MS. SIEBERT: Plaintiffs' counsel does. 12 MS. RICCHIUTO: IU does.</p> <p>13 (WHEREUPON, the witness was duly 14 sworn.)</p> <p>15 MARGARET ROTH, 16 called as a witness herein, having been first duly 17 sworn, was examined and testified as follows: 18 EXAMINATION 19 BY MS. RICCHIUTO: 20 Q. Hi, Margaret. My name is Anne 21 Ricchiuto. I'm a lawyer for IU, and I'm defending 22 them in this lawsuit that you are one of the 23 Plaintiffs in. 24 The other note I want to make about</p>

EXHIBIT

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<p style="text-align: right;">Page 5</p> <p>1 technical issues, I know you've already had one and</p> <p>2 we all have them all the time. So, if anything</p> <p>3 else happens, we will just kind of notify each</p> <p>4 other and stay in touch and get connected back</p> <p>5 together as quickly as we can.</p> <p>6 Does that work for you?</p> <p>7 A. Yep.</p> <p>8 Q. Okay. Is there anybody in the room with</p> <p>9 you on your end?</p> <p>10 A. Yes. My stepmother.</p> <p>11 Q. Okay. Hello.</p> <p>12 And that's just fine. We were -- we</p> <p>13 were aware that that was a possibility.</p> <p>14 The one thing I just want to say,</p> <p>15 Margaret, is if there is a time that you want to</p> <p>16 talk to her for some reason or talk to your lawyer,</p> <p>17 I need you to tell me that.</p> <p>18 And can you make a commitment that</p> <p>19 you're not going to text or use any chat feature or</p> <p>20 otherwise communicate with her while you're</p> <p>21 testifying?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Have you ever had your deposition</p> <p>24 taken before?</p>	<p style="text-align: right;">Page 6</p> <p>1 A. I have not.</p> <p>2 Q. Okay. So, I'll briefly go over the</p> <p>3 process. This is just some time for me to ask you</p> <p>4 some questions and just learn a little bit more</p> <p>5 about your position in this case.</p> <p>6 You understand you're under oath to</p> <p>7 testify truthfully today, correct?</p> <p>8 A. Yes.</p> <p>9 Q. And I will pose questions to you and</p> <p>10 I'll be interested in whatever your answers are to</p> <p>11 those. There aren't right or wrong answers. I'm</p> <p>12 just trying to understand what your view is.</p> <p>13 Do you have any notes or documents there</p> <p>14 with you?</p> <p>15 A. Nope.</p> <p>16 Q. Okay. If you -- if I ask you a question</p> <p>17 and you don't understand it, which happens from</p> <p>18 time to time, I want you to tell me or ask me to</p> <p>19 rephrase it. If you answer a question that I ask</p> <p>20 you, I'm going to assume that you understood it.</p> <p>21 So, if you don't understand it, please let me know.</p> <p>22 The Court Reporter is taking down what</p> <p>23 we say. You can't see her hands, but they are</p> <p>24 moving really quickly. And, so, we need to help</p>
<p style="text-align: right;">Page 7</p> <p>1 her out by making sure that our answers are</p> <p>2 audible.</p> <p>3 So, nods and head shakes and "uh-huh"</p> <p>4 and "uh-uh," things that we would do in normal</p> <p>5 conversation, we have to try to make sure not to do</p> <p>6 because that makes Corey's job harder.</p> <p>7 So, if I ask you a question, I'm going</p> <p>8 to ask you to answer me audibly.</p> <p>9 Does that work for you?</p> <p>10 A. That works.</p> <p>11 Q. Okay. The last thing I want to let you</p> <p>12 know is that it's possible that your attorney will</p> <p>13 have an objection to a question that I ask you, and</p> <p>14 that's just fine if she does.</p> <p>15 For the most part you're going to go</p> <p>16 ahead and answer the question anyway unless she</p> <p>17 specifically instructs you not to. So, I just want</p> <p>18 to let you know that it's possible that she could</p> <p>19 have an objection, and that's perfectly fine.</p> <p>20 Will you please state your name for the</p> <p>21 record, Margaret.</p> <p>22 A. My name is Margaret Roth.</p> <p>23 Q. Tell me about the lawsuit that we're</p> <p>24 here to talk about today.</p>	<p style="text-align: right;">Page 8</p> <p>1 A. We are -- well, I'm personally objecting</p> <p>2 to getting the vaccine. I don't know what to say.</p> <p>3 Q. Okay. That's okay. That's okay.</p> <p>4 Is there anything else that you -- that</p> <p>5 caused you to want to be part of this lawsuit?</p> <p>6 A. I wanted to be part of this lawsuit to</p> <p>7 defend other people's rights to not get the</p> <p>8 vaccine.</p> <p>9 Q. Okay.</p> <p>10 A. I wanted to protect my future health, my</p> <p>11 future ability to have children.</p> <p>12 Q. Okay. We'll talk more about those</p> <p>13 things a little bit later.</p> <p>14 How did you learn about the opportunity</p> <p>15 to be part of this lawsuit?</p> <p>16 A. My father and my stepmother presented it</p> <p>17 to me and told me that it would be an option to</p> <p>18 pursue going to IU.</p> <p>19 Q. Do you know how they found out about it?</p> <p>20 A. Not specifically, no.</p> <p>21 Q. Okay. Were they recommending that you</p> <p>22 become involved as a Plaintiff?</p> <p>23 A. No. I volunteered.</p> <p>24 Q. When you said it was an option to attend</p>

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1 IU, what do you mean by that?

2 A. I mean that if we can't get this to go

3 through that I will not be attending Indiana

4 University.

5 Q. So, if your injunction is not granted,

6 you will not attend starting in August?

7 A. Most likely, yes.

8 Q. So, you might attend?

9 A. Can I speak to my lawyer?

10 Q. Not while a question is pending. I need

11 you to answer the question, and then you can talk

12 to her.

13 A. Can you say that again then, please.

14 Q. Sure. I'm just trying to understand if

15 the injunction is not granted whether you will

16 attend IU in August or not.

17 A. If the injunction is not granted, then I

18 will not be attending IU.

19 Q. Have you registered for classes already?

20 A. I have.

21 Q. Do you have living arrangements? What

22 campus are you going to go to, Margaret?

23 A. Bloomington.

24 Q. Do you have living arrangements signed

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1 Q. Or why did your lawyers ask you to sign

2 that, do you know?

3 A. I don't quite remember.

4 Q. Okay. Do you know if you signed it

5 before or after the lawsuit was filed?

6 A. I don't remember.

7 Q. Do you know if you read the lawsuit

8 before or after it was filed?

9 A. I don't remember.

10 Q. Okay. I think, Margaret, that you

11 said -- I want to call you Michele because that's

12 what's on your Zoom name. So, if I do that, I'm

13 sorry.

14 Margaret, I think that you said that you

15 have not been vaccinated, is that right?

16 A. That's correct.

17 Q. Do you have any plans to get vaccinated?

18 A. No.

19 Q. Why not?

20 A. Because there are already numerous --

21 sorry. My jaw is a little stiff.

22 Q. That's okay.

23 A. There are already numerous complications

24 that people have been experiencing that I do not

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1 up down there?

2 A. I have applied, but they haven't been

3 released.

4 Q. Okay. So, is it your testimony that you

5 will withdraw entirely from IU if the injunction is

6 not granted?

7 A. Yes.

8 Q. What will you do this fall instead?

9 A. I'll either attend a community college

10 or find another college that would be

11 accommodating.

12 Q. Did you -- the paper that gets filed to

13 have a lawsuit is called a Complaint. Did you read

14 that -- have you seen it?

15 A. I believe so, yes.

16 Q. Okay. Do you know if you saw it before

17 or after it was filed?

18 A. I don't know specifically.

19 Q. Okay. Do you remember signing something

20 called a verification page?

21 A. Yes.

22 Q. Do you have an understanding of what

23 that verification page did?

24 A. I don't quite remember.

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1 wish to risk happening to me. It has not been

2 tested over a lengthy amount of time. It's only

3 been out for a few months. So, no one knows the

4 long-term effects.

5 There are threats to fertility. There

6 is threats with heart conditions. There is

7 cancer-causing -- excuse me. There is possibility

8 that it could enhance the probability of cancer,

9 and we've had a long history of cancer in my family

10 and I don't want to risk that.

11 From what I've seen, there is less risk

12 to getting COVID, especially at my age, than to put

13 something that I don't know what it is into my

14 body.

15 Q. Okay. I want to talk about some of

16 those things that you just said a little bit more,

17 Margaret.

18 You gave me a list of concerns that you

19 have about the COVID-19 vaccine. Can you tell me

20 generally where does your understanding come from

21 that allows you to give me that list of concerns?

22 A. Personal research as well as reports

23 from America's frontline doctors, reports from

24 doctors that are being silenced, just statistics

<p style="text-align: right;">Page 13</p> <p>1 that have come out about all of the complications</p> <p>2 that people have been experiencing.</p> <p>3 Q. Okay. And that information, are those</p> <p>4 things that you've read or seen somewhere?</p> <p>5 A. Yes.</p> <p>6 Q. Were they on the Internet or at a</p> <p>7 library or somewhere else?</p> <p>8 A. Internet, scanned documents, webinars</p> <p>9 that we've listened to.</p> <p>10 Q. Webinars with your lawyers or with</p> <p>11 others?</p> <p>12 A. Well, I guess I don't mean webinars.</p> <p>13 But just conversations that I've listened to</p> <p>14 between doctors and other people.</p> <p>15 Q. Can you give me an example of a</p> <p>16 conversation that you've listened to between</p> <p>17 doctors?</p> <p>18 A. I don't remember specifically.</p> <p>19 Q. Was that something that was in person</p> <p>20 where you saw doctors conversing with one another?</p> <p>21 A. No.</p> <p>22 Q. Was it a video?</p> <p>23 A. Yes.</p> <p>24 Q. A video online?</p>	<p style="text-align: right;">Page 14</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Have you talked to any physician</p> <p>3 about any of the concerns that you just listed for</p> <p>4 me?</p> <p>5 A. No, not personally.</p> <p>6 Q. No physician has ever told you that</p> <p>7 those are risks for you. Is that correct?</p> <p>8 A. Not personally, but I don't believe that</p> <p>9 I need someone to tell me that.</p> <p>10 Q. Okay.</p> <p>11 MS. SIEBERT: Anne, I'm sorry. Can we take</p> <p>12 just a two-minute break here?</p> <p>13 MS. RICCHIUTO: Yes, absolutely.</p> <p>14 MS. SIEBERT: Great.</p> <p>15 MS. RICCHIUTO: No problem.</p> <p>16 MS. SIEBERT: Margaret, if you can turn off</p> <p>17 your microphone and camera, that would be great.</p> <p>18 (WHEREUPON, a recess was had</p> <p>19 from 4:45 to 4:47 p.m.)</p> <p>20 MS. RICCHIUTO: Corey, will you remind me what</p> <p>21 I asked last.</p> <p>22 (WHEREUPON, the record was read</p> <p>23 by the reporter as requested as</p> <p>24 follows: Q. No physician has ever</p>
<p style="text-align: right;">Page 15</p> <p>1 told you that those are risks for</p> <p>2 you. Is that correct?</p> <p>3 A. Not personally, but I don't</p> <p>4 believe that I need someone to tell</p> <p>5 me that.)</p> <p>6 BY MS. RICCHIUTO:</p> <p>7 Q. Okay. So, you're comfortable -- do I</p> <p>8 understand you to be saying, Margaret, that you're</p> <p>9 comfortable with what you've read online in terms</p> <p>10 of understanding the risks of the vaccine and you</p> <p>11 don't feel like you need to consult with any</p> <p>12 medical professional? Is that fair?</p> <p>13 A. Yes, that's fair. I mean, doctors are</p> <p>14 just humans too, and no one really knows anything</p> <p>15 about this vaccine specifically. So, even if</p> <p>16 someone is telling me it's good for me, then I</p> <p>17 believe I can personally say that it's not good for</p> <p>18 me just based on the information that has been</p> <p>19 released.</p> <p>20 Q. Have you -- you've told me about some</p> <p>21 information that you've looked at telling you that</p> <p>22 it's not good for you.</p> <p>23 Have you read any information that</p> <p>24 expresses a different view, that expresses a view</p>	<p style="text-align: right;">Page 16</p> <p>1 that the vaccine, for example, is safe and is</p> <p>2 something that would be beneficial for you? Have</p> <p>3 you read anything saying that?</p> <p>4 A. Yes, I have, because just from the world</p> <p>5 we live in, everyone is exposed to all those here's</p> <p>6 why this is good for you, here's why you should</p> <p>7 take this, here's why it won't pose any</p> <p>8 complications.</p> <p>9 But I just find those to be possibly</p> <p>10 misleading because if someone else is telling me</p> <p>11 what's good for my health and they don't know</p> <p>12 personally what I've got -- what I've gone through</p> <p>13 and what my family has gone through, then I don't</p> <p>14 know if I can trust that.</p> <p>15 Q. Okay. Do you have the same concern</p> <p>16 about trusting information that's telling you that</p> <p>17 it's not good for you?</p> <p>18 A. I mean, I suppose so, but I wouldn't say</p> <p>19 that it's telling me to not get it. It's telling</p> <p>20 me here what's could happen if you get it and it's</p> <p>21 your decision. Whereas all of the articles and</p> <p>22 information, everything that's telling me why I</p> <p>23 should get it is telling me you have to get it.</p> <p>24 And I guess just the difference between that is the</p>

<p style="text-align: right;">Page 17</p> <p>1 option versus the mandate, which is scary.</p> <p>2 Q. Okay. Do you have, Margaret, access to</p> <p>3 your -- the link that Melena would have sent you to</p> <p>4 look at a document with me?</p> <p>5 A. Yeah, I think so.</p> <p>6 Q. Okay. If you refresh that --</p> <p>7 MS. MICHELE ROTH: Oops, did we just lose her?</p> <p>8 THE WITNESS: No, she'll still there.</p> <p>9 BY THE WITNESS:</p> <p>10 A. We have it pulled up.</p> <p>11 BY MS. RICCHIUTO:</p> <p>12 Q. Okay. Do you have your camera off</p> <p>13 because you're looking at the screen?</p> <p>14 A. Yeah, since we switched to the iPad, it</p> <p>15 doesn't let you have multiple tabs open I don't</p> <p>16 think.</p> <p>17 Q. We will try to look at it and then maybe</p> <p>18 come back together.</p> <p>19 A. Okay.</p> <p>20 Q. But I certainly want you to see the</p> <p>21 document if I'm going to ask you about it.</p> <p>22 Do you recognize this document that's</p> <p>23 pulled up here that's going to be marked as</p> <p>24 Exhibit 1, Margaret?</p>	<p style="text-align: right;">Page 18</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Can you look at -- I think the</p> <p>3 information about you start at paragraph -- starts</p> <p>4 at paragraph 209.</p> <p>5 You're free to look at anything else</p> <p>6 that you want to in the document, but I'm going to</p> <p>7 be specifically asking you about paragraphs 209 and</p> <p>8 the next few paragraphs after that. That's on --</p> <p>9 starts on page 44 of the document, if that helps</p> <p>10 you find it.</p> <p>11 MS. SIEBERT: Anne.</p> <p>12 MS. RICCHIUTO: Yeah.</p> <p>13 MS. SIEBERT: I'm sorry. The exhibit you have</p> <p>14 is the verification form.</p> <p>15 MS. RICCHIUTO: Well, that's not the right</p> <p>16 one. Thank you, Melena.</p> <p>17 MS. SIEBERT: You're welcome.</p> <p>18 MS. RICCHIUTO: Sorry about that.</p> <p>19 (WHEREUPON, Roth Deposition Exhibit</p> <p>20 No. 1 was marked for</p> <p>21 identification: Signed</p> <p>22 Verification.)</p> <p>23 BY MS. RICCHIUTO:</p> <p>24 Q. You know, now that we have it up,</p>
<p style="text-align: right;">Page 19</p> <p>1 Margaret, is this verification that you're looking</p> <p>2 at, is that something that you signed?</p> <p>3 A. Yes.</p> <p>4 Q. Does seeing it remind you what the</p> <p>5 purpose of it was?</p> <p>6 A. Yes.</p> <p>7 Q. And what was that?</p> <p>8 A. The purpose for signing it?</p> <p>9 Q. Yeah.</p> <p>10 A. Verifying that I'll be truthful and that</p> <p>11 I'll say everything that I need to say to state my</p> <p>12 position.</p> <p>13 Q. Okay. Okay. Now if you refresh, now I</p> <p>14 hope you'll have -- I was going to even skip that</p> <p>15 document and I botched it. I'm sorry for that,</p> <p>16 everybody.</p> <p>17 But if you can get -- let me know,</p> <p>18 Margaret, when you're on page 44.</p> <p>19 (WHEREUPON, Roth Deposition Exhibit</p> <p>20 No. 2 was marked for</p> <p>21 identification: Verified Complaint</p> <p>22 for Declaratory and Injunctive</p> <p>23 Relief.)</p> <p>24 BY MS. RICCHIUTO:</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. Have you seen this document, the big</p> <p>2 document?</p> <p>3 A. I may have glanced over it, but I</p> <p>4 haven't read it in depth.</p> <p>5 Q. Let me know when you get to paragraph</p> <p>6 209, when you have that in front of you.</p> <p>7 A. We have that in front of us.</p> <p>8 Q. Okay. It says that you are an incoming</p> <p>9 freshman at IU. I gather that's correct?</p> <p>10 A. Yes.</p> <p>11 Q. And then it talks about your objection</p> <p>12 to taking the vaccine, and some of that is what we</p> <p>13 just talked about.</p> <p>14 Paragraph 209 also mentions "the</p> <p>15 extremely minimal risk of COVID to all age groups,</p> <p>16 especially her age group."</p> <p>17 Can you tell me a little bit more about</p> <p>18 your views about the risk of COVID starting with</p> <p>19 your age group?</p> <p>20 A. Just from hearing and seeing statistics</p> <p>21 about it and personal experiences like friends</p> <p>22 supposedly contracting COVID, the risks are what</p> <p>23 seems to me to be like a cold and loss of taste and</p> <p>24 smell and then they're fine.</p>

<p style="text-align: right;">Page 21</p> <p>1 For my age group, I don't -- I think we</p> <p>2 all still have great immune systems and we don't</p> <p>3 need to introduce anything to alter the body's way</p> <p>4 of fighting off COVID-19.</p> <p>5 Q. Do some people not have as great of an</p> <p>6 immune system as others?</p> <p>7 A. Yes, that's true.</p> <p>8 Q. Would those people benefit from the</p> <p>9 vaccine, in your view?</p> <p>10 A. I think that's their decision if they</p> <p>11 want to take it. I don't know if it would help</p> <p>12 them because I believe it hasn't been said that --</p> <p>13 I don't know.</p> <p>14 Q. Where does your understanding that</p> <p>15 there's -- that there is a minimal risk of COVID to</p> <p>16 all age groups?</p> <p>17 A. Based on the fact that it's a 99.99 X</p> <p>18 number survival rate.</p> <p>19 Q. For -- survival -- that's your</p> <p>20 understanding of the COVID survival rate?</p> <p>21 A. Yes.</p> <p>22 Q. Where does that number come from?</p> <p>23 A. From just statistics that I see.</p> <p>24 Q. Do you know where you've seen those</p>	<p style="text-align: right;">Page 22</p> <p>1 statistics?</p> <p>2 A. Not specifically.</p> <p>3 Q. Are you aware of any statistics about</p> <p>4 the death rate associated with COVID?</p> <p>5 A. Not specifically.</p> <p>6 Q. So, for example, are you aware that the</p> <p>7 U.S. death toll is something around -- I think it's</p> <p>8 around 600,000 people?</p> <p>9 A. I wasn't aware of the specific number.</p> <p>10 Q. Were you aware that anybody had died of</p> <p>11 COVID?</p> <p>12 A. Yes, I was aware of that.</p> <p>13 Q. Were you aware that people of all</p> <p>14 different ages have died of COVID?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Do you believe there's any age</p> <p>17 group that for which COVID poses risks?</p> <p>18 A. Can you say that again?</p> <p>19 Q. Do you believe that COVID poses a health</p> <p>20 risk for anybody?</p> <p>21 A. I mean, if you have a weakened immune</p> <p>22 system, if you're elderly, I believe that COVID-19</p> <p>23 would pose issues just as much as the flu would,</p> <p>24 just as much as common cold could.</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. Okay. Paragraph 210 in the Complaint,</p> <p>2 Margaret, contains some pretty personal information</p> <p>3 about your family's health circumstances, and I</p> <p>4 don't -- other than to say I'm sorry to read about</p> <p>5 all of that and I know that has to be really hard</p> <p>6 circumstances.</p> <p>7 I don't need to ask you specifics about</p> <p>8 any of those, but I just want to ask you a couple</p> <p>9 of clarifying questions about that paragraph.</p> <p>10 You mention I think two or three aunts</p> <p>11 and a great-aunt. Are those family members family</p> <p>12 members that are biologically related to you?</p> <p>13 (Clarification requested by the</p> <p>14 reporter.)</p> <p>15 THE WITNESS: Yes. I can either look at the</p> <p>16 document or I can have my camera on.</p> <p>17 MS. RICCHIUTO: Melena, how do you feel about</p> <p>18 her not looking at the document?</p> <p>19 MS. SIEBERT: Let's for now, Margaret, since</p> <p>20 she's looking at -- do you feel comfortable enough</p> <p>21 that you know what is in paragraph 210 to answer</p> <p>22 some questions about it?</p> <p>23 THE WITNESS: I should be, yes.</p> <p>24 MS. SIEBERT: Okay.</p>	<p style="text-align: right;">Page 24</p> <p>1 MS. RICCHIUTO: Otherwise it's okay with me if</p> <p>2 she looks at it, you know, just while we are really</p> <p>3 looking at the Complaint unless that's posing a</p> <p>4 problem for Corey.</p> <p>5 MS. SIEBERT: Margaret, let's do it this way.</p> <p>6 Let's have your camera back on, but if at any point</p> <p>7 Anne asks a question and you need to refer back to</p> <p>8 the Complaint, then we'll kind of go back and</p> <p>9 forth. Is that fair with everybody?</p> <p>10 THE WITNESS: Okay.</p> <p>11 MS. SIEBERT: Anne, are you okay with you?</p> <p>12 MS. RICCHIUTO: I'm great with that.</p> <p>13 MS. SIEBERT: Corey?</p> <p>14 THE REPORTER: Yes.</p> <p>15 MS. RICCHIUTO: If you want to look at the</p> <p>16 document, we want you to be able to look at it. If</p> <p>17 we were all together, I'd hand it to you and you</p> <p>18 could hold it and we could look at one another at</p> <p>19 the same time.</p> <p>20 MS. SIEBERT: Just so you know, they tried</p> <p>21 to -- their laptop was having some technical issues</p> <p>22 because they weren't planning to use the iPad.</p> <p>23 MS. RICCHIUTO: Go with the flow.</p> <p>24 MS. SIEBERT: We'll try it this way.</p>

<p style="text-align: right;">Page 25</p> <p>1 MS. RICCHIUTO: That's fine.</p> <p>2 BY MS. RICCHIUTO:</p> <p>3 Q. Then that paragraph talks about some</p> <p>4 skin reactions and rashes that you've had in the</p> <p>5 past. Do you remember those being described in</p> <p>6 there?</p> <p>7 A. Yes.</p> <p>8 Q. And then you sort of sum up -- you've</p> <p>9 got some medical history about your family, and</p> <p>10 then you've got this information about your skin</p> <p>11 issues. And then it says, "All of this makes it</p> <p>12 much more likely that Ms. Roth will suffer adverse</p> <p>13 reactions from the vaccine."</p> <p>14 My question about that is what is the</p> <p>15 basis for your understanding that your family</p> <p>16 history and your skin -- your past skin issues make</p> <p>17 you more likely to suffer adverse reactions from</p> <p>18 the vaccine?</p> <p>19 A. Just because I've suffered adverse</p> <p>20 reactions from the tiniest thing, like any --</p> <p>21 introducing any foreign substances could pose even</p> <p>22 greater complications.</p> <p>23 Q. Is that a conclusion that you've come to</p> <p>24 or is that something that a doctor has told you?</p>	<p style="text-align: right;">Page 26</p> <p>1 A. A doctor has not said that.</p> <p>2 Q. Have you ever asked a doctor if your</p> <p>3 family history or your skin conditions make it more</p> <p>4 likely that you'll suffer adverse reactions from</p> <p>5 the vaccine?</p> <p>6 A. No.</p> <p>7 Q. Did you apply for a medical exemption</p> <p>8 from IU?</p> <p>9 A. No.</p> <p>10 Q. Why not?</p> <p>11 A. Because IU would not allow it based on</p> <p>12 their definition of what a medical exemption would</p> <p>13 cover.</p> <p>14 Q. What's your understanding of what it</p> <p>15 would cover?</p> <p>16 A. I don't quite remember what IU said.</p> <p>17 Q. Did you look into it --</p> <p>18 A. Yeah.</p> <p>19 Q. -- to see if you thought you would</p> <p>20 qualify?</p> <p>21 A. I didn't personally look into it, but my</p> <p>22 lawyers and my parents looked into it.</p> <p>23 Q. And it sounds like your understanding is</p> <p>24 whatever the criteria are, you don't qualify for</p>
<p style="text-align: right;">Page 27</p> <p>1 that. Is that accurate?</p> <p>2 A. I believe so, yes.</p> <p>3 Q. Okay. The next paragraph of your</p> <p>4 Complaint says, "Additionally, asthma runs in</p> <p>5 Miss Roth's family, so masks are also not an</p> <p>6 acceptable alternative."</p> <p>7 Do you have asthma, Margaret?</p> <p>8 A. I do not have asthma that has presented.</p> <p>9 Q. Have you ever been tested for asthma?</p> <p>10 A. I don't remember.</p> <p>11 Q. Which family members have asthma?</p> <p>12 A. My father and my sister.</p> <p>13 Q. And, so, on the basis of your father and</p> <p>14 your sister having asthma, is that the basis for</p> <p>15 your testimony or your allegation in the Complaint</p> <p>16 that masks are not a -- not something that you can</p> <p>17 wear or what do you -- what's your limitations with</p> <p>18 respect to masks?</p> <p>19 A. I mean, yes, there's the asthma portion,</p> <p>20 but there's also a psychological portion that</p> <p>21 accompanies it. If I were forced to wear a mask,</p> <p>22 then I would almost definitely be segregated</p> <p>23 against. I'd almost definitely be outcast. I</p> <p>24 would essentially be wearing a scarlet letter as</p>	<p style="text-align: right;">Page 28</p> <p>1 they've been calling it and singling myself out.</p> <p>2 Q. Okay. So, your concern -- I don't want</p> <p>3 to -- I want you to tell me.</p> <p>4 It sounds like you have a concern that</p> <p>5 if you wore a mask at IU, then you would</p> <p>6 potentially be treated differently. Is that what</p> <p>7 you're saying?</p> <p>8 A. Yes.</p> <p>9 Q. Where does that understanding come from?</p> <p>10 A. It comes from personal experience. It</p> <p>11 comes from seeing others post about people on</p> <p>12 social media. It comes from just how I view other</p> <p>13 people who wear masks or don't.</p> <p>14 Q. Let's start with that.</p> <p>15 How do you view people who wear masks or</p> <p>16 don't?</p> <p>17 A. I -- I can't really say anything</p> <p>18 specifically about that because everyone has their</p> <p>19 own view and their own situation.</p> <p>20 Q. Okay. Well, you said that a factor for</p> <p>21 your concern that you'd be treated differently is</p> <p>22 how you view people whether or not they wear a</p> <p>23 mask, and I'm just trying to understand what that</p> <p>24 means.</p>

<p style="text-align: right;">Page 29</p> <p>1 A. I mean, it's -- my view has changed as</p> <p>2 the COVID pandemic has changed. I don't know.</p> <p>3 Q. What did your view used to be about</p> <p>4 people that wear masks or didn't?</p> <p>5 A. Well, my view has always been that it's</p> <p>6 sort of silly, but if I find out that they think</p> <p>7 it's protecting them, then that's good for them.</p> <p>8 I don't think anyone should be forced to</p> <p>9 wear a mask. There's been multiple studies that</p> <p>10 show that masks aren't completely preventative.</p> <p>11 Q. Are there any studies that show that</p> <p>12 masks provide some preventative benefit?</p> <p>13 A. I don't remember.</p> <p>14 Q. Do you remember anything else about the</p> <p>15 studies that said that they don't provide a benefit</p> <p>16 or they don't provide I think you said a complete</p> <p>17 benefit?</p> <p>18 A. Or benefit at all. I've seen a few</p> <p>19 studies that have said that. The particles of</p> <p>20 COVID-19 are too small and get through masks</p> <p>21 anyway.</p> <p>22 Q. Okay. So, one of the factors that you</p> <p>23 gave me was how you view people. Another one was</p> <p>24 posts that you've seen that gave you the impression</p>	<p style="text-align: right;">Page 30</p> <p>1 that you would be treated differently if you wore a</p> <p>2 mask at IU. Can you say more about what you meant</p> <p>3 by that?</p> <p>4 A. Well, just being on social media as</p> <p>5 teenagers do, I've seen posts where people</p> <p>6 criticize and berate others for either not wearing</p> <p>7 masks or if someone is forced to wear a mask</p> <p>8 because they're not -- they haven't gotten the</p> <p>9 shot, people will also view them differently and</p> <p>10 almost attack them.</p> <p>11 Q. Do people who do get the shot ever get</p> <p>12 attacked for having gotten the shot?</p> <p>13 A. I suppose, yes, from others who -- yes.</p> <p>14 Q. And then another factor that I think you</p> <p>15 said was your personal experience, that these are</p> <p>16 factors that led to your concern that you might be</p> <p>17 treated differently at IU.</p> <p>18 Can you tell me about that personal</p> <p>19 experience that you were referencing?</p> <p>20 A. That's just from hearing peers,</p> <p>21 classmates, co-workers, whoever, talk about others</p> <p>22 who are either not wearing masks or wearing masks</p> <p>23 and just saying how they would act if they</p> <p>24 interacted with that person I suppose.</p>
<p style="text-align: right;">Page 31</p> <p>1 Q. Did any of this experience happen at IU</p> <p>2 Bloomington campus?</p> <p>3 A. No.</p> <p>4 Q. When you see someone wearing a mask, are</p> <p>5 you able to tell if that person has been vaccinated</p> <p>6 or not?</p> <p>7 A. No.</p> <p>8 Q. When the sort of world shut down in</p> <p>9 March of 2020 last year, there were a lot of mask</p> <p>10 mandates and orders. Some were State, some were</p> <p>11 local.</p> <p>12 Has there been any times since the</p> <p>13 pandemic started in March of 2020 that you have</p> <p>14 worn a mask for COVID purposes?</p> <p>15 A. Yes.</p> <p>16 Q. Can you tell me about those times?</p> <p>17 A. I've been forced into wearing a mask</p> <p>18 because of the mandates and such, although I didn't</p> <p>19 want to.</p> <p>20 Q. Can you give me some examples of where</p> <p>21 you've worn a mask?</p> <p>22 A. In school, at my work.</p> <p>23 Q. Did you ever go shopping?</p> <p>24 A. Yeah.</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. When you go into a business that</p> <p>2 requires masks, do you wear one?</p> <p>3 A. If I have to, yes. Otherwise I'll do</p> <p>4 online orders or online shopping.</p> <p>5 Q. Well, have you ever gone to a store that</p> <p>6 had a sign on the front that said "Masks required"</p> <p>7 and not worn a mask in that store?</p> <p>8 A. I don't remember.</p> <p>9 Q. Do you go or did you -- I guess you're a</p> <p>10 grad now. Did you go to public school or private</p> <p>11 school?</p> <p>12 A. Private.</p> <p>13 Q. Were you guys on hybrid or full time?</p> <p>14 How much time were you wearing a mask for school</p> <p>15 during the school year last year?</p> <p>16 A. Our schedule changed a lot. We went</p> <p>17 from hybrid to all online, back to hybrid, in</p> <p>18 person, hybrid. It was all over the place.</p> <p>19 Q. Did you have to wear a mask any time you</p> <p>20 were at the school building?</p> <p>21 A. Yeah.</p> <p>22 Q. About how often was that?</p> <p>23 A. I mean --</p> <p>24 Q. Understanding that it changed, but let's</p>

<p style="text-align: right;">Page 33</p> <p>1 say like a hybrid week, how much would you be at</p> <p>2 school?</p> <p>3 A. It would be 14 to 21 hours about.</p> <p>4 Q. In a week?</p> <p>5 A. In a hybrid week.</p> <p>6 Q. Okay. Where do you work?</p> <p>7 A. I work at an ice cream store.</p> <p>8 Q. How often do you do that?</p> <p>9 A. Three to five times a week.</p> <p>10 Q. How long have you had that job?</p> <p>11 A. A little over two years.</p> <p>12 Q. Did you work three to five times a week</p> <p>13 even during the school year?</p> <p>14 A. No.</p> <p>15 Q. Those are kind of summer hours?</p> <p>16 A. Yes.</p> <p>17 Q. What about during the school year?</p> <p>18 A. During the school year I worked about</p> <p>19 once a week.</p> <p>20 Q. And are you required to wear a mask</p> <p>21 while you are working at the ice cream store?</p> <p>22 A. Yes.</p> <p>23 Q. Do you wear a mask while you're working</p> <p>24 at the ice cream store?</p>	<p style="text-align: right;">Page 34</p> <p>1 A. Most of the time.</p> <p>2 Q. Have you ever considered quitting that</p> <p>3 job so you didn't have to wear a mask?</p> <p>4 A. Yes.</p> <p>5 Q. But you're still employed there?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. So, school, work, shopping.</p> <p>8 Anywhere else that you can think of that you've</p> <p>9 worn a mask in the last year?</p> <p>10 A. Not really, no.</p> <p>11 Q. Have you been harmed by that mask</p> <p>12 wearing?</p> <p>13 A. What do you mean by that?</p> <p>14 Q. Have you experienced any physical harm</p> <p>15 as a result of wearing a mask at school, work and</p> <p>16 shopping?</p> <p>17 A. I guess I could say just general</p> <p>18 overheating, a little bit difficulty to breathe.</p> <p>19 Q. Do those things happen every time you</p> <p>20 wear a mask?</p> <p>21 A. Yes.</p> <p>22 Q. Have you tried different kinds of masks</p> <p>23 to see if anything worked better for you?</p> <p>24 A. What kinds of different masks do you</p>
<p style="text-align: right;">Page 35</p> <p>1 mean?</p> <p>2 Q. Well, I don't know. If there were</p> <p>3 something that had a different material that didn't</p> <p>4 make you as hot or other things to accommodate</p> <p>5 these experiences that you've had.</p> <p>6 A. Then, yeah, I've tried different</p> <p>7 materials.</p> <p>8 Q. Other than what you told me earlier</p> <p>9 about your concern that you might be treated</p> <p>10 differently at Bloomington if you wear a mask, are</p> <p>11 there other ways that you believe that you will be</p> <p>12 harmed by wearing a mask at Bloomington?</p> <p>13 A. I don't know specifically.</p> <p>14 Q. Another part of your Complaint, and this</p> <p>15 is in paragraph 211 -- and, again, if it doesn't</p> <p>16 ring a bell, it's totally fine for you to look at</p> <p>17 it.</p> <p>18 It says, "Nor is repeated exposure to</p> <p>19 the carcinogenic chemicals on the nasal testing</p> <p>20 swabs, especially with her family history of</p> <p>21 cancer."</p> <p>22 And I want to ask you about the nasal</p> <p>23 testing swabs. So, what's your understanding of</p> <p>24 what carcinogenic chemicals are on nasal testing</p>	<p style="text-align: right;">Page 36</p> <p>1 swabs?</p> <p>2 A. I don't know specifically, but I know</p> <p>3 that it's substances that are potentially</p> <p>4 carcinogenic, and I don't want that introduced into</p> <p>5 my body.</p> <p>6 Q. And how do you know? You said you know</p> <p>7 that. How do you know?</p> <p>8 A. Know what exactly?</p> <p>9 Q. That there is something potentially</p> <p>10 carcinogenic on swabs.</p> <p>11 A. From -- I guess I don't know</p> <p>12 specifically.</p> <p>13 Q. Do you remember when you heard that or</p> <p>14 where you heard that?</p> <p>15 A. No.</p> <p>16 Q. Has a physician ever told you that the</p> <p>17 testing swabs are potentially carcinogenic?</p> <p>18 A. Not personally.</p> <p>19 Q. What do you mean by that?</p> <p>20 A. I have never had a doctor tell me face</p> <p>21 to face.</p> <p>22 Q. Have you had a doctor tell you some</p> <p>23 other way?</p> <p>24 A. No.</p>

<p style="text-align: right;">Page 37</p> <p>1 Q. Has anyone ever told you that being 2 tested for COVID will increase your risk for 3 cancer? 4 A. I've been told that there is a potential 5 risk. 6 Q. And who told you that? 7 A. My parents. 8 Q. Do you know where they got -- how they 9 learned that information? 10 MS. SIEBERT: Objection; hearsay. You can go 11 ahead and answer, though, Margaret. 12 BY THE WITNESS: 13 A. From their own research and -- yeah, 14 from their own research. 15 BY MS. RICCHIUTO: 16 Q. Have your parents ever been tested for 17 COVID? 18 A. I don't know. 19 Q. Have you ever been tested for COVID? 20 A. No. 21 Q. If you were to be tested for COVID in 22 some way other than with a nasal swab, would you 23 have the same concern about being tested for COVID? 24 A. I don't know.</p>	<p style="text-align: right;">Page 38</p> <p>1 Q. Let's do some hypotheticals. 2 What if you could be tested for COVID 3 using a blood test? 4 A. I don't know, but that just seems 5 excessive. 6 Q. What if you could be tested for COVID by 7 some kind of -- seeing something that's on the palm 8 of your hand? 9 A. I don't know. 10 Q. Well, does that seem harmful to you? 11 Would you have the same concerns about harm? 12 A. It just depends on what it is. 13 Q. What about if you could be tested for 14 COVID using your saliva? 15 A. I don't know. 16 Q. Well, it sounds to me like your concern 17 about the swab is the swab's contact with your 18 body. Is that part of what you're concerned about 19 with the swab? 20 A. Yes. 21 Q. So, if you could be tested for COVID in 22 a way where no testing implement had contact with 23 your body, would you feel that that was a less 24 risky way to be tested?</p>
<p style="text-align: right;">Page 39</p> <p>1 A. I guess so. 2 Q. Have you ever had COVID or thought that 3 you had COVID? 4 A. I think so. 5 Q. How many times? 6 A. There was only one instance where we did 7 not know what I had. It was right before all of 8 the pandemic stuff started. 9 Q. So, sometime before March of 2020? 10 That's when kind of the big shutdown orders came. 11 A. I don't believe so, but I don't know the 12 exact date. 13 Q. Okay. What were your symptoms that you 14 had at that time? 15 A. My throat swelled up so much that I like 16 didn't have a chin. I believe I had at least one 17 fever. We double tested for strep, and it was not 18 strep. That's all I can remember. 19 Q. When you got tested for strep, did they 20 do that with one of those long swabs that they put 21 down your throat? 22 A. I don't remember. 23 Q. Have you ever been tested for strep any 24 other way than that?</p>	<p style="text-align: right;">Page 40</p> <p>1 A. I don't remember. 2 Q. How long were you sick that time that 3 you think you may have had COVID? 4 A. I don't remember. 5 Q. Are you experiencing -- did you 6 experience any symptoms later that you thought 7 might have been attributable to your possible COVID 8 infection? 9 A. No. 10 Q. During the time that you had those 11 symptoms, were you aware of the idea of 12 quarantining or staying home or wearing a mask or 13 was it sort of before we knew about all of that? 14 A. I don't remember, but I stayed home 15 because I was sick. So... 16 Q. Did you stay home for more than just the 17 days that you were sick? 18 A. I don't remember. 19 Q. Any other times that you thought you 20 might have had COVID? 21 A. I don't think so. 22 Q. Has anyone in your household had COVID? 23 A. I don't know. 24 Q. Has anyone in your household besides you</p>

<p style="text-align: right;">Page 41</p> <p>1 had symptoms that are known to be associated with</p> <p>2 COVID?</p> <p>3 A. I don't remember.</p> <p>4 Q. I was sorry to hear that it sounds like</p> <p>5 you had some big dental work done this week,</p> <p>6 although you look great.</p> <p>7 A. Thanks.</p> <p>8 Q. At the dentist's office -- was it a</p> <p>9 dentist or surgeon or somewhere?</p> <p>10 A. Oral surgeon.</p> <p>11 Q. Okay. Were you required to wear a mask</p> <p>12 at the oral surgeon's office?</p> <p>13 A. No.</p> <p>14 Q. Have you been required to wear a mask at</p> <p>15 any kind of doctor or dental or other medical</p> <p>16 building in the last year?</p> <p>17 A. I don't remember.</p> <p>18 Q. Were there any medications or anesthesia</p> <p>19 involved with the dental procedure that you had</p> <p>20 this week?</p> <p>21 A. Yes.</p> <p>22 Q. Did you do anything to investigate</p> <p>23 whether those medications or anesthesia might</p> <p>24 implicate any of the health concerns that you</p>	<p style="text-align: right;">Page 42</p> <p>1 described to me before?</p> <p>2 A. No, because they've been tested over a</p> <p>3 longer period of time.</p> <p>4 Q. Do you know what anesthesia or</p> <p>5 medications that you had?</p> <p>6 A. Not specifically, no.</p> <p>7 Q. How do you know that they've been tested</p> <p>8 over a longer period of time?</p> <p>9 A. Because people have been getting their</p> <p>10 wisdom teeth out for longer than people have been</p> <p>11 getting the COVID-19. And, I mean, I watched a</p> <p>12 video that was from at least 20 years ago talking</p> <p>13 about it.</p> <p>14 Q. Do you know if that -- the person in</p> <p>15 that video received the same anesthesia or</p> <p>16 medications that you did this week?</p> <p>17 A. I don't know.</p> <p>18 Q. Did you have any religious objection to</p> <p>19 the treatment that you got this week for your</p> <p>20 wisdom teeth?</p> <p>21 A. No.</p> <p>22 Q. Your Complaint in a different section</p> <p>23 says that you have -- a different paragraph says</p> <p>24 you have a sincerely held religious objection to</p>
<p style="text-align: right;">Page 43</p> <p>1 the mandate. And first I want to ask you, what do</p> <p>2 you mean by the mandate there?</p> <p>3 A. By the mandate, is that what you said?</p> <p>4 Q. Yeah. Let me read it to you just so you</p> <p>5 can have it. This is the sentence. This is in</p> <p>6 paragraph 213 of the Complaint.</p> <p>7 "Miss Roth also has a sincerely held</p> <p>8 religious objection to IU's mandate."</p> <p>9 And I --</p> <p>10 A. I believe that's in reference to the</p> <p>11 vaccination mandate. Sorry for interrupting.</p> <p>12 Q. No. I am here to hear from you. So,</p> <p>13 thank you for that answer.</p> <p>14 So, you have a sincerely held religious</p> <p>15 objection to receiving the COVID vaccine or being</p> <p>16 required to receive the COVID vaccine or is it</p> <p>17 something else?</p> <p>18 A. Can you repeat that?</p> <p>19 Q. I just want to understand what is your</p> <p>20 objection specifically to.</p> <p>21 A. It's an objection to being mandated to</p> <p>22 receive something that possibly contains aborted</p> <p>23 fetal cells.</p> <p>24 Q. Okay. Where does the understanding come</p>	<p style="text-align: right;">Page 44</p> <p>1 from that -- do I take it that you believe that the</p> <p>2 vaccine may have some kind of aborted fetal cells?</p> <p>3 Or you tell me what's your understanding about</p> <p>4 that.</p> <p>5 A. From what I understand, it's possible</p> <p>6 that one is produced using aborted fetal cells and</p> <p>7 it's possible that one has aborted fetal cells</p> <p>8 directly in it.</p> <p>9 Q. Do you know which ones those are?</p> <p>10 A. No.</p> <p>11 Q. Have you ever tried to find out?</p> <p>12 A. No.</p> <p>13 Q. Are you aware that there's three kind of</p> <p>14 generally available vaccines in the U.S.?</p> <p>15 A. Yeah.</p> <p>16 Q. So, you described two. Does that mean</p> <p>17 that there's a third that you don't have a</p> <p>18 religious objection to?</p> <p>19 A. I don't know.</p> <p>20 Q. Well, do you have a religious objection</p> <p>21 to all three of the COVID vaccines?</p> <p>22 A. I have a religious objection to the</p> <p>23 possibility that there's aborted fetal cells in it</p> <p>24 and if it's in one, then it's completely possible</p>

<p style="text-align: right;">Page 45</p> <p>1 that it's in another, no matter if it's hidden or</p> <p>2 not. And I don't want that in my body.</p> <p>3 Q. If you were to learn that there was no</p> <p>4 fetal cells involved in the production of the</p> <p>5 vaccine or actually in the vaccine, would you still</p> <p>6 have a religious objection to it?</p> <p>7 A. I don't know.</p> <p>8 Q. Was there any other basis for your</p> <p>9 religious objection other than these potential</p> <p>10 cells?</p> <p>11 A. I don't know.</p> <p>12 Q. Based on the objection that we just</p> <p>13 talked about, did you file for religious exemption</p> <p>14 from being vaccinated to attend IU Bloomington?</p> <p>15 A. No.</p> <p>16 Q. Why not?</p> <p>17 A. Because if we filed for the religious</p> <p>18 exemption, then I would still have to wear a mask</p> <p>19 and submit to testing.</p> <p>20 Q. If you filed for the religious exemption</p> <p>21 and it were granted, are you aware that you would</p> <p>22 not have to get the vaccine?</p> <p>23 A. Yes.</p> <p>24 Q. Do you have plans to seek an exemption</p>	<p style="text-align: right;">Page 46</p> <p>1 so that you don't have to get the vaccine?</p> <p>2 A. I don't know.</p> <p>3 Q. Well, it sounds like you qualify for</p> <p>4 one. Do you agree with that?</p> <p>5 A. Yes.</p> <p>6 Q. But you haven't filed for one, correct?</p> <p>7 A. That's correct.</p> <p>8 Q. But you could, correct?</p> <p>9 A. Yes.</p> <p>10 Q. Your objections to masking and testing,</p> <p>11 are those religious objections or are those</p> <p>12 objections based on something else?</p> <p>13 A. Can you say that again?</p> <p>14 Q. Sure. I think we've established that</p> <p>15 you have a sincerely held religious objection to</p> <p>16 receiving the COVID vaccine. Do you agree with</p> <p>17 that?</p> <p>18 A. Yes.</p> <p>19 Q. Or at least the COVID vaccines that do</p> <p>20 or may contain cells or tissue that are of concern</p> <p>21 to you, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And you've also told me some reasons why</p> <p>24 you have concerns about mask -- wearing a mask and</p>
<p style="text-align: right;">Page 47</p> <p>1 being tested for COVID. I don't think that you</p> <p>2 have told me that those concerns are religious</p> <p>3 concerns, but I want to confirm that with you.</p> <p>4 A. I don't think so.</p> <p>5 Q. You don't think that you have a</p> <p>6 religious objection to wearing a mask?</p> <p>7 A. Yeah. I don't think so.</p> <p>8 Q. And you don't have a religious objection</p> <p>9 to being tested for COVID, correct?</p> <p>10 A. Yeah. That's correct.</p> <p>11 MS. RICCHIUTO: Can you give me one second.</p> <p>12 I think that's all the questions I have</p> <p>13 for now.</p> <p>14 Melena, do you have any questions?</p> <p>15 EXAMINATION</p> <p>16 BY MS. SIEBERT:</p> <p>17 Q. Margaret, I just have a couple of what I</p> <p>18 think are fairly quick questions. Do you need a</p> <p>19 break before we start?</p> <p>20 A. I'm okay.</p> <p>21 Q. Okay. All right. Just want to make</p> <p>22 sure you're feeling okay. Okay.</p> <p>23 Anne had asked you about some potential</p> <p>24 harms from wearing a mask, and you had testified</p>	<p style="text-align: right;">Page 48</p> <p>1 about overheating, problems breathing.</p> <p>2 Do you remember testifying to that?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. All right. Do you think that you</p> <p>5 will suffer any psychological harms from wearing a</p> <p>6 mask?</p> <p>7 A. By psychological concerns, can you like</p> <p>8 explain that more?</p> <p>9 Q. Sure. Gosh, how would I explain that?</p> <p>10 I guess any harms that -- I'm thinking</p> <p>11 of harms that aren't physical but more mental harms</p> <p>12 that you might experience from having to wear a</p> <p>13 mask.</p> <p>14 MS. RICCHIUTO: Objection; leading.</p> <p>15 BY THE WITNESS:</p> <p>16 A. Well, if I were to have to wear a mask,</p> <p>17 I can see not being able to make friends in</p> <p>18 college. I could see them forcing me to live in a</p> <p>19 different complex away from all the vaccinated</p> <p>20 individuals.</p> <p>21 So, essentially just everything that</p> <p>22 comes with being an outcast and being sort of</p> <p>23 marked as someone who isn't compliant.</p> <p>24 BY MS. SIEBERT:</p>

<p style="text-align: right;">Page 49</p> <p>1 Q. Okay. And I believe you testified that</p> <p>2 over this past year you wore a mask in school and</p> <p>3 various other locations, correct?</p> <p>4 A. Yes.</p> <p>5 Q. When you did that, when you wore a mask</p> <p>6 over the past year, did it make -- did you suffer</p> <p>7 any psychological harms from that over the past</p> <p>8 year?</p> <p>9 A. I mean, other than feeling like I wasn't</p> <p>10 true to my own beliefs, I would say not</p> <p>11 specifically, because at that time everyone was</p> <p>12 required to wear masks and there was no</p> <p>13 differentiation between those who were vaccinated</p> <p>14 versus unvaccinated.</p> <p>15 Q. Did wearing masks in school, do you</p> <p>16 think it affected your education?</p> <p>17 A. Yes.</p> <p>18 Q. How so?</p> <p>19 A. I remember even just on the first day</p> <p>20 back, having to wear a mask, I couldn't concentrate</p> <p>21 because it was so distracting being overheated and</p> <p>22 thinking about wearing a mask and how it didn't go</p> <p>23 along with my beliefs and just constantly either</p> <p>24 pulling it down to take a drink or being told to</p>	<p style="text-align: right;">Page 50</p> <p>1 pull it back up or thinking about just wearing one</p> <p>2 in general just distracted me from wearing a mask.</p> <p>3 And I couldn't wear my glasses very well</p> <p>4 because of the fog that occurs. So, I just gave up</p> <p>5 with that. And, so, yes, it definitely affected my</p> <p>6 learning.</p> <p>7 Q. I wear glasses, so I feel your pain on</p> <p>8 that.</p> <p>9 Did it affect communication within your</p> <p>10 education, wearing a mask?</p> <p>11 MS. RICCHIUTO: Objection; leading.</p> <p>12 BY THE WITNESS:</p> <p>13 A. I think it definitely did. It was</p> <p>14 difficult to understand some of my teachers. It</p> <p>15 was difficult to participate in discussions,</p> <p>16 especially with hybrid learning. It was difficult</p> <p>17 to read people. Pretty much everything that comes</p> <p>18 along with learning, visual and auditory. It</p> <p>19 prevented a lot of those interactions.</p> <p>20 BY MS. SIEBERT:</p> <p>21 Q. If you -- if the mandate is still in</p> <p>22 effect and you have to wear a mask this fall if you</p> <p>23 choose to continue your education at IU, do you</p> <p>24 anticipate that some of those same educational</p>
<p style="text-align: right;">Page 51</p> <p>1 barriers will be impacted by in the same way?</p> <p>2 A. Yes.</p> <p>3 MS. RICCHIUTO: Objection; speculation.</p> <p>4 BY MS. SIEBERT:</p> <p>5 Q. Do you think that some of these</p> <p>6 psychological and mental harms that you've</p> <p>7 testified to today are any less important than</p> <p>8 your -- the physical harms that you've testified</p> <p>9 to?</p> <p>10 MS. RICCHIUTO: Objection.</p> <p>11 BY THE WITNESS:</p> <p>12 A. No.</p> <p>13 MS. RICCHIUTO: Misstates the testimony.</p> <p>14 BY THE WITNESS:</p> <p>15 A. No.</p> <p>16 BY MS. SIEBERT:</p> <p>17 Q. You spoke that -- you testified earlier</p> <p>18 regarding your oral surgery that you had this week.</p> <p>19 Do you remember that?</p> <p>20 A. Yes.</p> <p>21 Q. I'm glad you're feeling better. You're</p> <p>22 kind of a rock star. I had wisdom teeth out, and I</p> <p>23 looked like a chipmunk for a long time.</p> <p>24 And you did testify that you took</p>	<p style="text-align: right;">Page 52</p> <p>1 anesthesia before that surgery. Is that correct?</p> <p>2 A. Yes.</p> <p>3 Q. At any point when you were contemplating</p> <p>4 having the surgery or right beforehand, did you</p> <p>5 feel coerced to take the anesthesia?</p> <p>6 A. No, I chose to.</p> <p>7 MS. SIEBERT: That's all I have.</p> <p>8 MS. RICCHIUTO: Okay. I have a couple more</p> <p>9 questions on those.</p> <p>10 FURTHER EXAMINATION</p> <p>11 BY MS. RICCHIUTO:</p> <p>12 Q. With respect to your testimony,</p> <p>13 Margaret, about wearing a mask at school and it</p> <p>14 impacting communication, were your grades different</p> <p>15 when you were wearing a mask than when you were</p> <p>16 not?</p> <p>17 A. I don't think there was a huge</p> <p>18 difference. I think it's difficult to say because</p> <p>19 it's different classes with junior year and senior</p> <p>20 year.</p> <p>21 My grades stayed pretty much at my same</p> <p>22 grade level because of the work I put in outside of</p> <p>23 class and -- well, that's all I have to say.</p> <p>24 Q. So, is that a no, wearing a mask did not</p>

<p style="text-align: right;">Page 53</p> <p>1 impact your grades?</p> <p>2 A. I would say it impacted in-person</p> <p>3 grades, testing grades. But because of my efforts</p> <p>4 outside of school without a mask on, my grades</p> <p>5 didn't suffer terribly.</p> <p>6 Q. When you were talking about things that</p> <p>7 might happen if you had to wear a mask at</p> <p>8 Bloomington, you said, "I could see not being able</p> <p>9 to make friends. I could see living in a different</p> <p>10 complex."</p> <p>11 Are those things that have actually</p> <p>12 happened or that you know will happen or things</p> <p>13 that you are worried might happen?</p> <p>14 A. Those are things that I'm worried might</p> <p>15 happen, but I don't know if they will for certain.</p> <p>16 Q. When you filled out your housing</p> <p>17 paperwork for Bloomington, did it -- was there a</p> <p>18 question about whether you've been vaccinated?</p> <p>19 A. I don't remember.</p> <p>20 Q. Has Bloomington told you that they're</p> <p>21 going to house you differently depending upon</p> <p>22 whether or not you're vaccinated?</p> <p>23 A. I don't think so.</p> <p>24 Q. So, that's just something that you've</p>	<p style="text-align: right;">Page 54</p> <p>1 come up with that if it happens, you wouldn't like</p> <p>2 it but you don't know that it's going to happen.</p> <p>3 Is that fair?</p> <p>4 A. Yeah. I mean, they haven't released</p> <p>5 housing, so I have no idea what could happen.</p> <p>6 Q. When you are wearing a mask at your job</p> <p>7 at the ice cream store, are you psychologically</p> <p>8 harmed by that?</p> <p>9 A. Can you elaborate on that?</p> <p>10 Q. Well, your lawyer asked you about</p> <p>11 psychological harm that you had experienced from</p> <p>12 wearing a mask, and I'm trying to figure out if</p> <p>13 that's always when you wear a mask or only certain</p> <p>14 times that you wear a mask that you feel like you</p> <p>15 are psychologically harmed?</p> <p>16 A. I always feel I guess psychologically</p> <p>17 harmed when I wear a mask because I'm not being</p> <p>18 true to myself. I think it also depends on the</p> <p>19 environment. Just depends on who is -- so that's</p> <p>20 all I have to say.</p> <p>21 Q. What do you mean that you're not being</p> <p>22 true to yourself when you wear a mask?</p> <p>23 A. I don't believe that they help in the</p> <p>24 way that everyone thinks they help, and I don't</p>
<p style="text-align: right;">Page 55</p> <p>1 believe that I should be forced to wear one.</p> <p>2 Q. So, when you wear one, you -- you what?</p> <p>3 You think what?</p> <p>4 A. I think that I shouldn't have to wear</p> <p>5 one, and I just think about when I can take it off</p> <p>6 or if I can take it off without anyone saying</p> <p>7 anything to me.</p> <p>8 MS. RICCHIUTO: I think that's all that I have</p> <p>9 for you, Margaret.</p> <p>10 MS. SIEBERT: Margaret, I have just one</p> <p>11 follow-up from the follow-up.</p> <p>12 FURTHER EXAMINATION</p> <p>13 BY MS. SIEBERT:</p> <p>14 Q. Do you think grades -- when you think</p> <p>15 about the word "education" or you think about your</p> <p>16 education, are the grades -- are grades the only</p> <p>17 thing that matter to you?</p> <p>18 A. No. I would say grades were a lot</p> <p>19 different from education this year. I would say a</p> <p>20 lot of teachers boosted the grades because they</p> <p>21 knew that we weren't getting the same education, so</p> <p>22 they would give us points, which wouldn't</p> <p>23 necessarily reflect my education.</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">Page 56</p> <p>1 MS. SIEBERT: That's all I have.</p> <p>2 MS. RICCHIUTO: I don't have anything else.</p> <p>3 Thank you, Margaret. Hope you continue to feel</p> <p>4 good.</p> <p>5 THE WITNESS: Thank you.</p> <p>6 (Time noted: 5:47 p.m.)</p> <p>7 FURTHER DEPONENT SAITH NAUGHT</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

1 I, CORINNE T. MARUT, C.S.R. No. 84-1968,
2 Registered Professional Reporter and Certified
3 Shorthand Reporter, do hereby certify:

4 That previous to the commencement of the
5 examination of the witness, the witness was duly
6 sworn to testify the whole truth concerning the
7 matters herein;

8 That the foregoing deposition transcript
9 was reported stenographically by me, was thereafter
10 reduced to typewriting under my personal direction
11 and constitutes a true record of the testimony
12 given and the proceedings had;

13 That the said deposition was taken
14 before me at the time and place specified;

15 That the reading and signing by the
16 witness of the deposition transcript was agreed
17 upon as stated herein;

18 That I am not a relative or employee or
19 attorney or counsel, nor a relative or employee of
20 such attorney or counsel for any of the parties
21 hereto, nor interested directly or indirectly in
22 the outcome of this action.
23
24

CORINNE T. MARUT, Certified Reporter

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After doing so, please sign the errata
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changes you have noted on the errata sheet, which
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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA FORT WAYNE DIVISION

RYAN KLAASSEN, et al.,)

)
Plaintiffs,)

) CASE NO.
-vs-) 1:21-cv-00238

)
THE TRUSTEES OF INDIANA)
UNIVERSITY,)

)
Defendant.)

AFFIDAVIT

I, MARGARET ROTH, the undersigned
affiant, being first duly sworn, on oath say that
the testimony given at my deposition at the time
and place aforesaid is the truth, the whole truth,
and nothing but the truth, and that I have read the
foregoing transcript consisting of Pages 1 to 61
inclusive, and do subscribe and make oath that the
same is a true, correct, and complete transcript of
my deposition so given as aforesaid, and includes
changes, if any, so made by me.

FURTHER AFFIANT SAITH NAUGHT.

AFFIANT, MARGARET ROTH

SUBSCRIBED AND SWORN TO before me
this day of , A.D. 20 .

Notary Public

1	LAWYER'S NOTES		
2	PAGE LINE		
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